

REMARKS

Prior to examining the above-identified application, entry of the foregoing amendments and consideration of the following remarks are requested. Note that the present communication assumes entry and consideration of the Response dated December 18, 2008, based on which an Advisory Action was mailed on January 23, 2009. Accordingly, the present response addresses only the rejections indicated to be maintained in the Advisory Action.

I. Amendments to the Claims

Claims 1, 7, 10, 15, 16, and 25 are amended to delete functional language.

Claims 15 and 25 are amended to delete fragment language.

No new matter has been added by these amendments.

II. Rejections under 35 U.S.C. § 112, first paragraph (enablement)

Claims 1, 3-5, 7-21, 25-28, and 30 were rejected under 35 U.S.C. § 112, first paragraph, as not being enabled by the specification.

The rejections appear to be based on the recitation of functional features in the claims, and the alleged need for the skilled person to screen variants to identify those variants that possess the functional feature.

As amended herein, none of the pending claims recite a functional feature, rendering the rejection moot. Withdrawal of the rejection is, therefore, requested.

III. Rejection under 35 U.S.C. § 102

Claim 15 was rejected under 35 U.S.C. § 102 as allegedly anticipated by Ahsan *et al.* ((1996) *J. Bacteriol.* 178:5732-40).

The rejection appears to be based on the language in part (e) of claim 15, which reads, “a substantially purified biologically active fragment of the amino acid sequence presented as SEQ ID NO:3.” The Examiner asserts that this language reads on amino acid residues 410-419 of the cellulase described in the reference.

Part (e) of claim 15 has been deleted, thereby rendering the rejection moot. Withdrawal of the rejection is, therefore, requested.

IV. Conclusion

Applicants believe that the present application is fully in condition for allowance. Early notice to this effect is earnestly requested. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to call the undersigned at (650) 846-7595.

Respectfully submitted,

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/Stephen Todd/
Stephen Todd
Registration No. 47,139

Danisco US Inc., Genencor Division
925 Page Mill Road
Palo Alto, CA 94304
Tel: 650-846-7595
Fax: 650-845-6504